

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.22402 of 2006

Dated: 01-11-2006

Between:

Dumpa Chenchuramireddy and another.

..... PETITIONERS

AND

The Revenue Divisional Officer, Prakasam District and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.22402 of 2006

ORDER:

Respondent No.3 preferred appeal under Section 5 (5) of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 before respondent No.1, namely, the Revenue Divisional Officer (RDO), seeking cancellation of pattadar passbook (PPB) and title deed issued in favour of mother of the petitioners. After receiving notice, the petitioners filed instant writ petition seeking a writ of Mandamus declaring the action of RDO in entertaining the appeal as illegal and arbitrary.

The learned counsel for the petitioners does not dispute that all matters relating to issue of PPB and title deed or record of rights have to be adjudicated either before the recording authority or the appellate authority or the revisional authority as the case may be. Therefore, RDO has jurisdiction to entertain the appeal. All other questions raised herein can as well be adjudicated before RDO. Therefore, this Court is not inclined to interfere in the matter. RDO is, however, directed to dispose of the appeal within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations and direction, is accordingly dismissed. No costs.

V.V.S.RAO, J

30th October, 2006
ghn